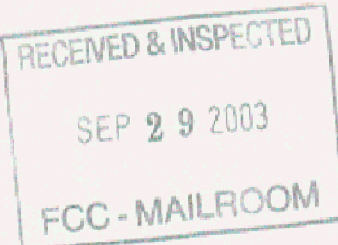


Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D. C. 20554



In the matter of)
 Amendment of Section 73.202 (b),) MB Docket No. _____
 Table of Allotments)
 FM Broadcast Stations) RM- _____
 (Oak Harbor, Washington))

PETITION FOR RULEMAKING

To the Chief, Allocations Branch:

1. Dana J. Puopolo ("Petitioner") respectfully requests the Commission initiate a rulemaking proceeding for the purpose of considering amending Section 73.202(b) of the Commission's rules. In support whereof the following is stated:

2. Petitioner proposes the Commission allot FM channel 289A to Oak Harbor, Washington as its first commercial FM service. This would require amending Section 73.202(b) of the Commission's rules as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Oak Harbor, WA	-	289A

3. Oak Harbor is an incorporated city located in NW Washington. It is located in Island County. In 2000, the United States Census Bureau estimated that Oak Harbor had a population of 19,795 persons.

4. FM channel 289A can be assigned to Oak Harbor in full compliance with the Commission's domestic minimum distance separation requirements without a site restriction. This is shown by the attached spacing study. Coordinates used are: N 48:17:43, W 122:39:31. The proposed allotment is short spaced to CBU-FM, Vancouver, BC, CA and petitioner respectfully requests the Commission seek concurrence with Canada as a specially negotiated short spaced allotment.

5. Petitioner, or an entity with which he is affiliated, intends to apply for a construction permit to activate channel 289A if it is assigned to Oak Harbor as proposed. If his application is granted, he shall promptly construct and operate the proposed station.

6. Petitioner hereby verifies and affirms that the statements given in this petition for rulemaking are his, and are accurate to the best of his knowledge.

Respectfully submitted,

Dana J. Puopolo
 2134 Oak St., Unit C
 Santa Monica, CA 90405
 September 22, 2003

No. of Copies rec'd
 List ABCDE

0+4
 7M-MB
 03-343

Spacing study FM channel 289A, Oak Harbor, WA
At city reference coordinates of N 48° 17' 43", W 122° 39' 31"

CHAN	FREQ	STATION	LOCATION		DIST	REQ	CLEAR
286A	105.1	ALLOC	LAKE COWICHAN	BC CA	121	39	82
286A	105.1	PRM	METCHOSIN ETC.	BC CA	69	39	30
287C1	105.3	KCMS	EDMONDS	WA US	93	75	18
288A	105.5	PRM	FORKS	WA US	134	72	62
289C1	105.7	KRSE	YAKIMA	WA US	233	200	33
289C2	105.7	KJET	SOUTH BEND	WA US	197	166	31
289C	105.7	CBUFM	VANCOUVER	BC CA	120	111	9
290B	105.9	ALLOC	PENTICTON	BC CA	262	71	191
290A	105.9	ALLOC	PORT RENFREW	BC CA	132	45	87
291C	106.1	KBKS	TACOMA	WA US	102	95	7

NOTES:

ALL DISTANCES ARE IN KILOMETERS.
ONLY STATIONS CLEARING BY LESS THAN 125 KM ARE SHOWN.

